

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of April 18, 2007 (current Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. Nonetheless, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

In response to the previous Office Action of October 24, 2006 (previous Office Action), Applicants submitted evidence showing that Applicants' invention predated the January 28, 2003 effective date of the cited reference, U.S. Published Patent Application No. 2004/0185842 to Spaur, *et al.* (hereinafter Spaur). In the current Office Action, Applicants' submitted evidence was deemed to be insufficient to overcome the Spaur reference. Applicants respectfully disagree. Applicants, however, have amended the claims to further clarify the subject matter of the claims and to expedite prosecution of the present application.

Applicants respectfully note with respect to the current Office Action that no rejections based on references of record have been asserted. Accordingly, Applicants assume that the rejections based on the cited references in the previous Office Action have not been withdrawn. In the previous Office Action, Claims 1-24 were rejected under 35 U.S.C. 102(e) as being unpatentable over Spaur, *et al.*

### **Amendments to the Claims**

Claims 1, 6, 9, 11, 14, 17, and 22 have been amended to emphasize certain aspects of the claims. The amended claims now include the limitation that telematics data and events are received from a plurality of vehicles. Furthermore, the claims also include the further limitation that the telematics data and/or events from each vehicle are provided to one or more service providers only if the telematics data or events from each vehicle meet the privacy policies for that particular vehicle. Additionally, dependent

Claims 2, 3, 10, 18, and 19 have been amended to maintain consistency among the claims. Such amendments are fully supported in the Specification, as shown below. No new subject matter has been added by this amendment.

### **Aspects of the Claims**

The claims, as amended, are directed to systems and method for exchanging or sharing with one or more service providers telematics data or events obtained from a plurality of vehicles. A method according to one embodiment, typified by Claim 1, can include receiving the telematics data from a plurality of vehicles, wherein the received telematics data dynamically changes over time. (See, e.g., Specification, para. [0007], [0009], [0027], [0033], [0065], and [0075].) The method can also include comparing the telematics data received from each one of the vehicles with a privacy policy associated with each one of the vehicles. These privacy policies associated with each vehicle can specify rules for selectively providing items of the telematics data received from each vehicle to one or more service providers. The method can also include selectively providing items of the received telematics data to the one or more service providers according to the results of the comparing step. (See, e.g., Specification, para. [0007], [0009], [0032], and [0077].)

### **The Claims Define Over the Cited References**

As previously noted, Claims 1-24 were rejected as being anticipated by Spaur. Spaur discloses an in-vehicle telematics system that includes a security controller to ensure secure access and control use of the resources in the vehicle. Applicants respectfully disagree with this rejection and submit that Spaur fails to disclose each and every element of Claims 1-24, as amended.

First, Spaur fails to disclose a method or system in which telematics data or events are received from a plurality of vehicles. Spaur explicitly discloses an in-vehicle system for managing communications with service providers. (See, e.g., Para. [0027], [0031].) In particular, Spaur discloses that a security controller 100 is provided in a vehicle to control access to systems within the vehicle by one or more service providers. Accordingly, Spaur does not disclose any system or method in which a plurality of vehicles transmit telematic data or events to a central data store for processing and distribution to multiple service providers. Rather service providers must establish a one-to-one relationship with each vehicle and retrieve the telematic information individually from each vehicle. In contrast, as recited in the claims, telematics data and events from multiple vehicles is transmitted to a central data store, where it is processed and sent to each service provider, according to a vehicle-specific privacy policy.

Second, Spaur fails to disclose a system or method in which telematics data or events are compared or reviewed in terms of a privacy policy prior to delivery to a service provider. In the cited portions of Spaur, only a system for establishing a secure communications link and access is disclosed. (See, e.g., Para. [0011], [0031], [0033], [0038], [0041].) Spaur explicitly discloses that data is exchanged based on verifying identities of the parties and does not disclose a review or filtering process to limit the items of telematics data or event that is transmitted to the service provider. Rather Spaur only discloses a service provider being given access to one or more systems of the vehicle and retrieving information located in those systems.

By contrast, with Applicants' invention, all telematics data or events are received at a central data store, as recited in the amended claims. The system containing the central data store can review the policies for each vehicle and provide the appropriate information to each service provider. In the claimed method and system, the vehicle need not interact with multiple service providers. Vehicles, as recited in the claims, need only

transmit telematic data and events to the data store via a single communications channel. The service providers can then request information from the central data store and can retrieve information from multiple vehicles at the same time.

Finally, Spaur fails to disclose selectively providing items of telematic data to the service providers. As previously discussed, Spaur discloses an in-vehicle security controller that manages access of service providers to systems within the vehicle. (See, e.g., Para. [0040].) However, Spaur fails to disclose providing the information selectively to service providers. Rather in Spaur, it is assumed that if authorization of the service provider is successful, the service provider will have access to any information in the systems that the service provider is authorized to access. Nowhere does Spaur disclose or suggest that such information would be filtered or reviewed. In contrast, the claims recite that information provided to service providers selectively, based on the privacy policy for the vehicle. As such, regardless of the amount of access the service provider may have to data in the central data store, the data that is ultimately provided to service providers is filtered based on the privacy policy.

Accordingly, Spaur fails to disclose, suggest, or render obvious each and every element of independent Claims 1, 6, 9, 11, 14, 17, and 22, as amended. Therefore, Applicants respectfully submit that the independent claims define over Spaur as well as other references of record. Furthermore, as each of the remaining dependent claims depends from one of the amended claims while reciting further limitations, the Applicants also submit that the dependent claims likewise define over the references of record.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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